

**WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

ERIK SALAIZ,

Plaintiff,

V.

EP-23-CV-00028-FM

**EXCLUSIVE MARKETING AGENCY
LLC, a California Limited Liability
Company; JOHN SECKEL; INSTANT
LOANS, INC. d/b/a ASSUR LOANS, a
Michigan Corporation; and
CELEBRITY HOME LOANS, LLC
d/b/a MIDWEST EQUITY
MORTGAGE, an Illinois Limited
Liability Company,**

Defendants.

FINAL JUDGMENT AND DISMISSAL

Before the court is “Plaintiff’s Notice of Dismissal of Complaint” [ECF No. 14], filed April 5, 2023, by Plaintiff Erik Salaiz. Therein, Plaintiff voluntarily dismisses with prejudice Defendant Instant Loans, Inc., who has filed neither an answer nor a motion for summary judgment.¹ All other defendants were previously dismissed with prejudice.² A plaintiff may voluntarily dismiss an action without a court order by filing “a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment,” the effect of which is dismissal without prejudice unless the notice states otherwise.³ Accordingly:

1. It is **HEREBY ORDERED** that the cause is **DISMISSED WITH PREJUDICE**.

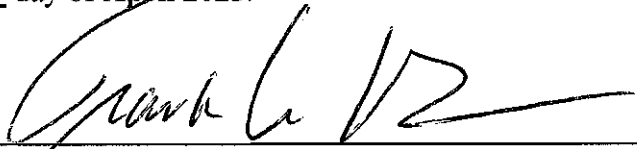
¹ “Plaintiff’s Notice of Dismissal of Complaint” 1, ECF No. 14, filed Apr. 5, 2023.

² See “Order Dismissing Exclusive Marketing Agency LLC, John Seckel, and Celebrity Home Loans, LLC” 2, EFC No. 12, Mar. 23, 2023.

³ Fed. R. Civ. P. 41(a)(1).

2. All pending motions, if any, are **DENIED AS MOOT**.
3. The Clerk of the Court is **INSTRUCTED** to **CLOSE** the cause.

SIGNED AND ENTERED this 11 day of April 2023.



FRANK MONTALVO
SENIOR UNITED STATES DISTRICT JUDGE